

OBERLIN COLLEGE  
HISTORICAL COLLECTION.

FROM

*Rev. Theo. Keep-*

GERRIT SMITH.

AND THE

VIGILANT ASSOCIATION

OF THE

CITY OF NEW-YORK.

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NEW-YORK:

JOHN A. GRAY, PRINTER, 16 & 18 JACOB ST.,  
FIRE-PROOF BUILDINGS.

1860.

*From the Syracuse Journal.*

## IMPORTANT LIBEL SUITS.

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MESSRS. SEDGWICK, ANDREWS & KENNEDY, of this city, have commenced suits in behalf of GERRIT SMITH against WATTS SHERMAN, ROYAL PHELPS, and S. L. M. BARLOW, of New-York. Fifty thousand dollars are the damages claimed in each case. There are twenty-eight other members of this Democratic Committee. But we have not learned when or whether they also are to be sued. Nor have we learned when nor whether any of the many publishers of the "Manifesto" are also to be sued.

The following correspondence preceded the legal proceedings :

PETERBORO, February 13th, 1860.

WATTS SHERMAN, Esq. : SIR : My father-in-law, Mr. Gerrit Smith, has at length so far waked up from the eclipse of his intellect, as to be able to read and to hear reading. He has just now seen for the first time the

"Manifesto of the New-York Democratic Vigilant Association," published last October, in which you connect his name with a certain "Central Association" of bloody and horrible purposes.

As Mr. Smith belongs to no Society, has always opposed secret societies, had never before heard of this "Central Association," and condemns all shedding of human blood, save by Government, he necessarily feels himself to be deeply wronged by you and your associates. He holds you and them responsible for calling in effect upon the people both of the North and South to detest and abhor him.

Mr. Smith wishes to know without any delay whether you and your associates will persist in your libel, or make the unqualified and ample retraction which the case calls for.

Yours, Respectfully, CHAS. D. MILLER.

P. S.—I do not as yet write to any of the Executive Committee except yourself, Mr. Phelps, and Mr. Barlow.

2d P. S.—It occurs to Mr. Smith that it may have been the "Provisional Government" adopted by the Convention at Chatham, C. W., with which you intended to identify him. But Mr. Smith bids me say to you that this can not relieve you, since never, until within a few weeks, has he heard of that "Government," or that Convention. What that Government was, he has yet to learn, as he has not heard or read a line of its provisions.

NEW-YORK, February 18th, 1860.

C. D. MILLER, Esq., Peterboro: Sir: I have received your letter of the 13th inst., complaining, on behalf of your father-in-law, of the use made of his name in a publication by the New-York Vigilant Association in October last; and although the publishing of my name to that document was an unwarrantable liberty, for I never signed it, or authorized any one to sign it for me, yet, as I did not contradict it at the time, I can hardly set up this plea now.

I have been disappointed in seeing Mr. Sherman to-day, but you shall hear from us early next week.

I am, sir, your most obedient servant,

ROYAL PHELPS.

NEW-YORK, February 22d, 1860.

CHAS. D. MILLER, Esq.: Sir: Yours of the 13th inst. was received by me a few days since; and but for other pressing engagements, would have been answered immediately. Since its receipt, I have looked over carefully the "Manifesto of the Democratic Vigilant Association" to which you refer, and so far as Mr. Gerrit Smith's name is mentioned in connection with the "Central Association," have no hesitation in saying that his statement, that he is not a member of that body, renders it obvious that in this particular the writer of the pamphlet has fallen into an unintentional error. With regard to the letter also inserted in this pamphlet, dated Peterboro, Aug. 29th, 1859, purporting to have been written by Mr. Smith, as you do not allude to it, I suppose *that* is correctly set forth. By

comparing the general tone and sentiment with the constitution of the "Central Association," I think you will see that the writer of that pamphlet might very naturally have fallen into the mistake, (as you assure me that it is a mistake,) of supposing that the writer of one approved of the objects of the other. This was doubtless the view of the writer of this pamphlet, in regard to which particular care was taken to insure accuracy in its statement of facts, and for these the writer of the pamphlet relied somewhat upon the current newspaper articles of the day. After the information now received from you, I am very sorry to learn that Mr. Smith's name was thus connected with the "Central Association" to which you say he did not belong, or that any injustice was done to him in this publication.

Mr. Phelps and Mr. Sherman have each perused this letter, and I am requested by those gentlemen to say they concur in the same, and beg you will receive it also as their reply to the communication you addressed to each of them on the same subject. They also request me to say that it gives them great pleasure to correct the error into which the writer of this pamphlet has fallen in regard to Mr. Smith, as, however much they differ from the sentiments held by him as expressed in the "Jerry Rescue" letter, they respect the boldness and personal integrity of Mr. Smith, and desire to do him full justice. (1)

Yours very truly,

SAMUEL L. M. BARLOW.

PETERBORO, February 26th, 1860.

S. L. M. BARLOW, ESQ. : SIR: I have your letter of 22d inst. Mr. Smith desires me to say that his attention was called at the same time to all the references to himself in your "Manifesto." That he complained of but one, was by no means because he acquiesced in the others. Compared with that one, the others are of no importance. That one is a sheer fabrication. Of all in it that you attribute to him he had done nothing. But in the other references, your responsibility is only for your opinions of what he confesses he had done.

It is true that Mr. Smith did at the close of his long letter to Mr. Thomas on other subjects, (dated 27th August,) assert the probability of servile insurrections, and the possibility of their success, as reasons why the people should, at the ballot-box, put an end to slavery. (2) But, pray, what responsible connection is there between this and the "Central Association," or the sad occurrence at Harper's Ferry? The like thing he did in scores of meetings, in his tour through this State in 1858; and never was he more full and faithful at this point than in his speech on the Nebraska Bill. (3) (See pages 200, etc., of the volume of his Congressional Speeches.) In fact, it is for more than a quarter of a century that he has been continually testifying that unless the American people hasten to put away slavery peacefully, it will go out in blood. His only regret in respect to such testimony is, that it has not availed to persuade, or, if you prefer, to *frighten* the people, both of the North and the South, into his own deep

and abiding belief that slavery will die a violent death unless speedily put to a peaceful one. As to Harper's Ferry, Mr. Smith is not aware that he had seen or heard the name of that village, or thought of itself or its name, for years immediately preceding the scene of violence there last October.

Mr. Smith readily admits that his letter to John Brown in your "Manifesto" does not exaggerate his love and admiration of the man, whom, during the many years of his intimate relations with him, both in business and friendship, he was accustomed to regard as unsurpassed, for truthfulness, disinterestedness, and a noble and sublime spirit. No wonder that, regarding him in this light, Mr. Smith did, from the time Capt. Brown started for Kansas, in the spring of 1855, put money into his hand whenever he opened it for money. No wonder, that during the last four years of Capt. Brown's life, Mr. Smith sent very many bank-drafts to him, and to names which the Captain furnished. Whether his call was for fifty dollars or for two hundred and fifty, was all the same. It was never refused. I scarcely need add that no one feels deeper sorrow than does Mr. Smith, that his precious, nay idolized friend, was led into the mistake of shedding blood in his last attempt to help slaves get free. Indeed, it was that mistake which completed the prostration of the miserable health of Mr. Smith's body and brain. What little strength the most obstinate dyspepsia, following up typhoid fever and dropsy, had left him, was swept away by the horrible news from Virginia. You put your own assumed and entirely unauthorized interpre-

tation upon Mr. Smith's use of the words "Kansas work." What he meant by these words is what Capt. Brown, in his public meeting, held in this village a few weeks before the date of Mr. Smith's letter, described as his latest "Kansas work,"—namely, the removing of slaves without violence to a land where they can be free.

To return to your letter : I hardly need say that it is unsatisfactory to Mr. Smith. It evidently was not intended to be satisfactory to him. It adds studied insults to the cruel and immeasurable wrongs you had previously done him. You had done what you could to blacken his reputation ; and now, when arraigned for it, the whole extent of your concession is, that he shall have the privilege of wiping off the blacking if he can. It is as if you had called your innocent fellow-man a cut-throat, and then, wiping your mouth, had told him that you would retract the bad name, if only he would consent to degrade himself so far as to deny that the bad name fits him. In the depths of your malice—a malice unmitigated, as your own letter shows, by the least semblance, and scarcely by the least pretense, of a particle of evidence to justify your accusation—you did him all the injury you could ; and now, when called on to repair it, you send him a letter which but deepens it. I need not characterize that letter. It characterizes itself. There is not a right-minded man, North or South, but would pronounce your treatment of Mr. Smith to be base, infamous, and wicked to the last degree—and this, too, according to your own presentation of the case in your own letter. Let your



Committee think of their deliberate and enormous crime against Mr. Smith, and then sleep over it if they can. When he was within forty-eight hours of death, in the judgment of the physicians into whose hands he then passed; and when he knew not one person from another; and when his family were too much afflicted to read the newspapers—that Committee was busy, with Satanic industry and Satanic venom, in circulating over the whole land a falsehood of their own coinage, that could not have failed to fill with the hatred and loathing of him ten thousand hearts, both North and South, that had before loved and honored him.

Mr. Smith is not unmindful that you were moved to defame him by party rather than personal objects; and he confesses that he has no sympathy with the Republican party. He will not greatly deplore the advantages you may gain over it. But he must protest against your gaining them at his expense—especially at so great expense as having the most atrocious and injurious falsehoods told of himself. Mr. Smith is an Abolitionist, and not, as you would have it believed, a Republican. The odium of his principles belongs all to himself; and it is not right that the Republican party should suffer at all from it. But although Mr. Smith is an Abolitionist, he has friends and relatives both at the North and South. Moreover, he thinks quite as highly of Southern as of Northern character. (4) I add, that although he has purchased the freedom of many slaves, and not a few of them within two or three hours' drive of Harper's Ferry, and that although

he is a very willing contributor to "Underground Railroads," (5) he would nevertheless not have any slave seek his freedom at the expense of killing his master. He has always said that he would rather remain a slave for life than get his liberty by bloodshed.

Respectfully yours, CHAS. D. MILLER.